REMARKS

The Examiner has rejected claims 6 and 14 under 35 USC 101 as being directed to non-statutory subject matter. These claims have been amended to conform with the most recent USPTO guidelines with respect to computer program claims. Reconsideration and withdrawal of the 35 USC 101 rejection is requested.

The Examiner has also rejected claims 1-16 under 35 USC 102(e) as being anticipated by Mock (US Pub. No. 2004/0128151).

The present invention is completely unrelated to Mock in both intent and execution. The intent of the present invention is to provide an efficient means for transferring selected phonebook contacts from one mobile device to another mobile device using a mobile messaging service so that the receiving device can quickly and easily enter the received phonebook contacts into its own contact database. This alleviates the need to manually enter each bit of contact information on the receiving device. For instance, User A has contact information for users B,X,Y, and Z in his contact database. User B does not have the contact information for X, Y, and Z but would like to get it. User A can run an application that allows him to select individual contacts and place them into a mobile messaging service type message which is then sent to User B. User B receives the mobile messaging service message and has an application that determines if contact data has been included in the message. If so, it is parsed so as to allow User B to view and enter the contact data into his contact database. Under this scenario, User B did not have to manually enter any individual contact data for Users X, Y, and Z but still was able to enter the new contacts into his database.

The intent of Mock is to provide a means for a user of a communications or computer device to update their own contact information and broadcast the update to a select group of other users in their contact database that have subscribed to receive updates. A user begins by editing his own contact information such as, for instance, his work telephone number. An application then determines how many contacts that the user has in his own contact database that fit a profile in which the user's work telephone number is a field. The user's device then transmits the updated version of his own contact data to all those identified in the previous

step. Mock also goes on to describe the receiving process wherein another user receiving an update has the ability to accept or reject the update and even to unsubscribe from updates if desired. Thus, Mock is limited to a system and method that allows a user to broadcast his own contact information to others when it has changed.

As it specifically pertains to the present office action, Mock does not teach a method of sending a mobile phone contact list pursuant to ¶ [0024]. ¶ [0024] describes Figure 1 of Mock which is a network block diagram of the environment in which Mock operates. Mock does not teach "sending a contact list". Mock teaches sending a broadcast message of a single updated contact.

Nor does Mock teach displaying a mobile phone contact list pursuant to Figures 2-8. None of Figures 2-8 are a flowchart that would describe a step to be taken pursuant to a method or computer readable medium type claim. Figures 2-8 generally describe profiles and fields or records that can be applied to individual contacts within a database. None of the figures, however, describes or illustrates "displaying the mobile phone contact list of a first mobile phone".

In addition, Mock does not teach selecting one or more contacts from the mobile phone contact list pursuant to ¶ [0028]. ¶ [0028] is a generic recitation that states that a communications device can receive (via download) client applications from a remote application server connected to a WAN (TCP/IP network). None of which has anything to do with selecting one or more contacts from the mobile phone contact list previously displayed.

Further, Mock does not teach adding the selected contacts to a message and sending the message to one or more other wireless devices pursuant to ¶ [0039, 0041-0044]. ¶ [0039] describes the process by which Mock allows a user to update his own personal contact information and then broadcast it out to a select group of other users in his contact database. ¶ [0041-0044] describe the processes by which Mock allows the recipient of a broadcast updated contact to accept , reject, or change their subscription status with respect to the sender. Thus, ¶ [0041-0044] is entirely within the realm of the receiving device whereas the recited clause of the claim addresses adding the selected contacts to a message and sending the message.

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In applying Mock to independent claims 11 and 14, the Examiner fails to show that Mock specifically addresses handling contact list data as opposed to a single updated contact. Moreover, Mock does not describe a mechanism that distinguishes between incoming messages that contain contact data as content or ordinary mobile messaging data. This is because Mock does not contemplate anything but sending and receiving a single updated contact.

The present invention provides for the exchange of groups or sub-groups of whole contact lists not just a single updated version of the user's own contact information as envisioned by Mock.
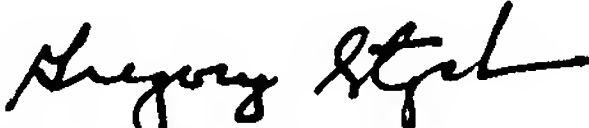
Since none of the referenced paragraphs of Mock (nor any other portion of Mock) describe or teach what has been claimed by the present invention, the Examiner has not met the burden required to sustain a 35 USC 102(e) rejection. Reconsideration and withdrawal of the 35 USC 102(e) rejection based on Mock is requested.

It is applicant's belief that the Examiner has mischaracterized the teachings of Mock to read on the claims of the present invention for the reasons set forth above. Reconsideration and withdrawal of rejected claims 1-16 based on Mock (US Pub. No. 2004/0128151) is requested.

Respectfully submitted,

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Gregory Stephens
Attorney for Applicants
Registration No. 41,329

Telephone: (919) 286-8000
Facsimile: (919) 286-8199